

## MAY BE OVERWORKED

One of the Reasons for Carelessness of Railway Employees,

And a Possible Cause for Some Accidents—Transcontinental Rate War at an End.

Within the last thirty days all roads leading to Chicago have been pressed with passenger business to an unusual degree, and a carelessness of railway operations seems to have resulted, which is tending to discourage many who had intended to visit the world's fair. By two accidents in the last thirty days twenty lives have been sacrificed and twice as many wounded and maimed, some fatally. Both of the accidents were the result of collisions—one a head-end collision, the other a rear end, and in both cases were clearly in the line of preventable occurrences had the standard code of rules or even rules of prudence been adhered to. There is a feeling that the trainmen have been overworked, and thus set careless and reckless. The temptations for a trainman to overwork himself and make large wages are so great that unless trainmasters keep matters well in hand trouble is likely to result. Said a superintendent: "When an engineer has run enough in one month to earn on the mileage basis \$140, he should be taken off and another man put on. There are plenty of freight engineers who are fully competent to handle passenger locomotives, and there is no occasion for overworking a man in either department of the train service."

## Voted Against a Cut.

The Union Pacific employees have voted not to submit to the cut in wages proposed by the road. Since Aug. 26 the organized labor of the road has been voting on three propositions: First, shall we accept a ten-per-cent. cut for an indefinite time? Second, shall we accept a ten-per-cent. cut till Jan. 1, 1894? Third, shall we offer the company a loan of 10 per cent. of our monthly wages until Jan. 1, 1894? In addition, they have been discussing the question of federation. The votes of nearly 15,000 men have been counted. Outside of the Nebraska division, which covers the territory between Omaha and Denver, the votes are practically unanimous against any cut whatever, and overwhelming in favor of federation. On the Nebraska division the men voted to make a loan to the company until Jan. 1, 1894.

## Victory for the Atchison.

The rate war between the Atchison and Southern Pacific lines has been ended, and rates will go back to their old basis on Oct. 1. General Passenger Agent Goodman, of the Southern Pacific, yesterday wired the officers of his road, in Chicago, that the entire matter had been adjusted, and that rates would go back to the standard after the expiration of the customary ten days' notice. The result is a victory for the Atchison road in every part of the dispute.

Receivers for the Jacksonville Southern, Judge Allen, of the United States Circuit Court, of Springfield, Ill., yesterday granted an application for the appointment of receivers for the Jacksonville Southeastern Railroad, and appointed C. B. Busworth, of Springfield, general manager of the line. The Jacksonville Southern is a branch of the Louisville and Nashville, and is owned by E. A. Anderson, a New York lawyer, as receiver.

Personal, Local and General Notes.

Hunters' rates are to be granted as usual on Western roads this year.

The Norfolk and Western is proving a valuable feeder to the Chesapeake and Erie, both in freight and passenger traffic.

The Haskell and Barker car works, at Michigan City, have resumed operations, and have orders to keep them busy for some weeks.

E. Parker Shortridge has been elected president of the Philadelphia & Erie Railroad Company, vice Wm. Hazell Wilson, resigned.

The Washburn earned in the second week of September \$30,000, a decrease of only \$8,000, as compared with the corresponding week of last year.

While the improvement to South Delaware street is in progress the Big Four will deliver incoming freight at the Bee-line depot on Alabama street.

It is said that E. A. Peck has offered positions to several more men on the Big Four system whose qualifications for railroad business he well understands.

The fare from California points to the Missouri river is \$35.75 one way, or \$55 for the round trip. Both the Southern Pacific and the Santa Fe are charging this rate.

J. N. Kalkoff, who represents the Pennsylvania line on the Pacific coast, and who has been visiting friends in this section for a few days, has returned to his headquarters.

The Illinois Central yesterday commenced to run its trains between Kansas and Chicago under the strict block signal system, there being but one train on any block at once.

The Lake Erie & Western, in connection with the Nickel-plate road, is to establish an all-rail line between Indianapolis and Chicago. Neither road is a member of the Central Traffic Association.

The Western Passenger Association roads have authorized a one-fare rate for the round trip from Paducah, Ky., and intermediate points to the "Big Show" celebration at the world's fair, Sept. 25.

The Washburn will begin the operation of its Excelsior Springs branch about Oct. 1. The branch connects with the main line near Missouri City, and will shorten the time to the springs and improve the service.

Lewis S. Wilson, car-service agent of the Chesapeake & Ohio, is in the West gathering up all of the cars for the year, and converting them into coal cars, the coal traffic of the C. & O. exceeding the equipment it has to handle it.

John Robinson, for several years past master mechanic of the Lake Erie road, is dead. Those who knew him say it will be a serious loss to the company. He was very popular with the men in the shops on the entire Lake Erie line.

David S. Patterson, of Nebraska, a retired engineer, has recently patented an improvement in the driving-wheel gear of a locomotive, which is said to be a valuable invention. Mr. Patterson is a seventy-five years old and totally blind.

The Louisville, New Albany & Chicago earned in the second week of September \$10,733, an increase this year of \$10,834. While its freight earnings fell off the passenger earnings were \$22,155 ahead of the second week of September, 1892.

Local passenger earnings are beginning to foot up better. The drummer is again beginning to travel, which is taken as an indication that business is improving. For some weeks the wholesale men have not felt justified in keeping their traveling salesmen on the road.

The advance in part rail and part water freight rates will unquestionably help the all-rail lines crossing Indiana. The entire situation promises a much more profitable fall and winter season than they have enjoyed for several years past if rates are held, which are now very firm.

## WISHARD'S REPORT

Condition of the Bankrupt South-Side Building Association.

Tron Settles with the Father of the Boy Fleece in His Gambling House—Other Matters in the Courts.

A. W. Wishard yesterday filed in the Circuit Court his report as assigned of the South-Side Building and Loan Association. In April, on account of the default of Secretary Hasely, the association was compelled to make an assignment, and A. W. Wishard was named as the assignee. He gave bond in the sum of \$75,000, and at once began the auditing of the accounts. There was considerable delay caused by the failure of the stockholders to file proofs of claims. The report of the assignee filed yesterday shows a total of claims filed amounting to \$44,861.70, and claims allowed by him amounting to \$40,794.20. His recapitulation is as follows:

Total cash collected from all sources, \$22,516.61  
Total appraised value of all property not disposed of, 8,298.02  
Total, \$30,814.63  
Disbursements:  
Expenses of the trust, \$773.00  
Payment of claims by the court, 351.08  
Total, \$1,124.08  
Cash on hand, \$21,391.51  
Property not disposed of, 8,298.02  
Total chargeable to the trust, \$29,689.53

A question has been raised as to the certainty of certain credits to Mrs. G. H. Wilson, who held stock in series No. 5, claims the right to be made a preferred creditor and paid in full. The assignee has claim of preference upon the fact that this series had matured before the assignment, and the money due her had been left with the association as a loan. Several of the shareholders in series No. 5 claim the right to preference on the grounds that by the act of the officers and the board of directors in recognizing shares in the series as matured they had matured. The assignee, in his report, submitted to the court three propositions for its approval or rejection. These propositions were as follows:

First—That since series 5 and 6 are declared matured, and shareholders paid in full, on the theory that these shares matured at the time the shareholders and directors declared them to have matured.  
Second—That no preference be given and no claim of priority be allowed to series 5 and 6, but that they be paid proportionately on the amount paid in without reference to series and without reference to the maturity of the shares, and without reference to the amount of payments.  
Third—That distribution be made upon the amount paid in and by an allowance of interest upon the amounts paid proportionate with the time the shares were paid in.

The assignee recommended the adoption of the third proposition. The various interests in conflict were represented in the court by attorney yesterday, and there was a long discussion of the matter. It was finally decided that argument should be had on the report on Saturday, Sept. 23.

## INSURANCE NEWS AND NOTES.

According to the semi-annual reports of twenty-seven companies in Tennessee, the Royal Aetna has now in that State a membership of 2,500, exclusive of West Tennessee, which is prohibited territory.

Jonathan Ogden, who was president of the Illinois Insurance Company, of Brooklyn from 1883 to his retirement, died on Tuesday night last at his summer home at Bernardville, N. Y., aged eighty-three. Mr. Ogden was for a long time a partner of Delvin & Co. in the clothing business.

Warrants have been issued for the arrest of nine collectors of the Prudential Insurance Company in Jersey City on the charge of embezzlement. The warrants are based on the books and accounts of the company, as inspected by James Drummond and Assistant Superintendent John J. Bagley, show that the nine collectors had embezzled \$10,000. The shortages are claimed by the company to be the result of errors in the company's books.

Through the intervention of the Mutual Life, the Scotch authorities are investigating the cause of the death of a young man named Harbrough, who was shot while hunting in Scotland last month, in company with an American, named friend named Monson. A policy of insurance on the life of Harbrough had been assigned to Monson, and on the theory that his death was caused by the latter the police have arrested him.

The National Convention of State Insurance Commissioners, at their convention in Chicago, elected as secretary, Theodore J. James, of New York, president, Superintendent D. K. Durfee, of Illinois, was chosen vice-president and John C. Linchen, of New Hampshire, George S. Merrill, of Massachusetts and George P. Linder, of Pennsylvania, were named as members of the committee on finance.

The late Derrick L. Boardman, who died in Troy, N. Y., a few days ago, was born in Watertown, N. Y., March 17, 1824. From 1857 until the time of his death Mr. Boardman was the general agent of the Mutual Life at Troy, and was the senior agent of its great corps of general agents. He was of high standing in financial circles, having been connected with several of the leading institutions, but was educated for the law, and in early life achieved distinction at the bar. He was a son of Rev. Dr. George S. Boardman, one of the most distinguished Presbyterian divines of the State.

The fire insurance companies were struck another heavy blow last week by the fire in the New York City building, which burned over six acres of buildings. The loss is estimated at \$250,000, and as usual, the big foreign companies and the important Eastern companies are the principal sufferers. The fire originated in the freight depot of the Boston & Albany railroad, among a number of barrels of kerosene. At the time the fire broke out the depot was being repaired in the main, and it was not possible to get water to put out the fire. A contemplation of this fact will not meet them. The only money available, it is said, is about \$1,250, some of which is in deposit in the Germania Savings Bank, and has been attached. The order has been in trouble a long time because of the failure to pay claims. There were two factions, each apparently trying to outbid the other and obtain control.

Wanted in Louisville.

A Louisville detective arrived in Indianapolis yesterday in search of Sallie Fogg, a buxom colored girl, wanted for grand larceny. She was found at No. 208 West Third street by detective Thornton, and accompanied the officer without delay.

The prisoner is accused of stealing the wardrobe of one of her dusky rivals, but insisted that her arrest is all spite work on the part of the other woman because she captured the object of the affections of both. The Fogg woman came here during the emancipation on a visit.

Bishop Warren Coming.

Bishop Henry White Warren will visit the Rev. Dr. Buchtel, of this city, after the close of the session of the South-east Indiana Conference. On Tuesday evening next, Sept. 25, the Bishop will speak in the Central Avenue Methodist Episcopal Church, giving his celebrated lecture on the question "Can Man Outgrow the Bible?" The people are cordially invited.

Smith Williams Dead.

Smith Williams, ex-superintendent of the county asylum, died last night, about 10:30 o'clock, at his residence in Haughville. He was about sixty-three years of age and had been ailing for the past four months. He leaves a widow and one son, Dr. O. W. Williams, of Haughville.

Ser. of the G. A. R. Edition of the Journal, Sept. 25, to be sent to any address for 5 cents.

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## COMPROMISED THE SUIT.

Tron Pays a Part of the Money Lost by a Boy in His Deal.

Last Thursday a suit was filed before Justice Johnston to recover \$35 lost by Charles Hamill in Tron's gambling den. This was before the gamblers became convinced that they must take a vacation in the interest of their protector, the "little mayor," and they proposed to fight the suit to the bitter end. The "bitter end" came yesterday, when they compromised the suit by paying Hamill \$25 and paying all the costs of the case. This is one of the compromises that were made public. Hamill is a sixteen-year-old boy, and is said to be a native of the South Side, and the money represented the earnings from his work which he lost in Tron's den. The "little mayor" did not know of the suit, but the sixteen-year-old boy had not the least difficulty in finding the place. He, however, was able to read the sign which Tron has in large letters on the outside of his building, and in the rear of which are his gambling rooms.

Sullivan Placed Day in the Manger.

Green Baldwin, a colored man who has for years made an honest living by sowing lawns was arraigned in the police court, yesterday morning, for malicious trespass. There is a strip of ground near Dorman street and the Big Four tracks owned by the railroad company. The ground has been unused for years, and recently the company has begun to fill it up with surplus earth. Baldwin was seen entering a lot of about fifteen yards of sod from this unused ground. The fact was reported to W. A. Sullivan, agent for the company, and he telephoned Superintendent Colbert and demanded the arrest of Baldwin. In the police court, yesterday morning, attorney Robert Smith, who appeared for Baldwin, stated that, to his personal knowledge, the land had been unused for twenty years past.

It just put you under oath and see if you will swear to that," said the judge. Smith was put under oath and repeated his former assertion, and the case was then closed.

Another Step in the Contempt Case.

The attorneys in the Jennie Carr case, out of which has grown the legal contest between the Circuit and Criminal courts, yesterday appeared in the Criminal Court and renewed their motion for a change of venue from the county. Judge Cox, adhering to his original position, declined to take any action upon the motion. This refusal is a positive assertion that he will not obey the mandate of the Circuit Court, and to make the point in law between the two courts, and puts the case in a way for the attorneys for Jennie Carr to apply to the Circuit Court for the enforcement of the mandate. When this is done Judge Brown will be called upon to act, and it is likely that he will elect the judge of the Criminal Court to appear before him and show cause why he should not be punished for contempt of court.

Decided Inmate.

John T. Mattler, a dry-goods clerk, twenty-one years old, residing at 34 North West street, was declared insane yesterday. He has an almost uncontrollable desire to commit homicide, and suffers from fits of melancholia. His insanity was due to excessive cigarette smoking.

John Broyles, colored, aged twenty-three, was also declared insane and sent to the insane hospital. His mental trouble is due to religious excitement, and he imagines that his special mission on earth is to terminate the lives of sinners. His mother, the only person who approaches him, and to her he is perfectly rational.

Suit Against Hildebrand & Fugate.

Christopher F. Hildebrand yesterday filed suit against Jacob S. Hildebrand and James L. Fugate, composing the firm of Hildebrand & Fugate, asking judgment for \$2,500 on a firm recently filed a chattel mortgage on the lot at the corner of Union and Adams streets, was declared insane yesterday. He has an almost uncontrollable desire to commit homicide, and suffers from fits of melancholia. His insanity was due to excessive cigarette smoking.

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## Railway Company vs. Richard Grames, of Thornton.

Grames was injured at the company's crossing in Thornton, while driving over in a wagon. He brought suit and recovered \$1,500 damages. The appeal held that the court erred in overruling the motion for a new trial and in rendering judgment for the appellee. The suit is an appeal, having been filed in the Supreme Court in 1889.

Mrs. E. Zea Acquitted.

In Justice Johnson's court, yesterday, Mrs. Eva Eliza was found not guilty of assault and battery upon a man named Shreve. He had been fined in Justice Daniels's court for assault and battery upon Mrs. Eliza and her daughter, and sought this method to obtain revenge. William E. Bailey defended Mrs. Eliza on the grounds of self-defense, which was clearly established.

For Divorce and Injunction.

Corena Plummer yesterday filed suit against Erastus Plummer for divorce, and asked an order restraining the defendant from any acts of violence towards her or from disposing of any of his property pending the suit. She alleged that he had been violent and cruel to her, and that the suit was taken before Judge Winters, who granted the restraining order prayed for.

A Decision Forestalled.

In the suit of Charles Griffin, trustee, against H. J. Everett and others to foreclose a mortgage and for the appointment of a receiver to receive the rents and profits of a certain piece of property in Kenwood, Judge Winters took the case under advisement till yesterday. Yesterday morning before the court had announced its decision the case was dismissed by the plaintiff.

More Garbage Cases.

Jesse Ferguson was cited by Judge Brown, yesterday, to appear in the Circuit Court Saturday morning and show cause why he should not be punished for contempt. Ferguson is accused of having hauled some garbage. The case of Greenberry Walker will also be heard at the same time.

Sent to Prison.

In the Criminal Court, yesterday morning, Pat Glavin was fined \$10 and sent to the penitentiary for one day. On Tuesday of encephalitis week Glavin snatched a pocketbook from the hand of a woman standing on the corner of Pennsylvania and Market streets.

Young Boy Acquitted.

John Brown, a fifteen-year-old boy, was tried for petty larceny and acquitted. He, with two companions, broke into the residence of Mr. Cooper, on Talbot avenue, and stole a few small articles. The other boys secured the plunder, and Brown was discharged.

Suit for Divorce.

Hattie Powers yesterday filed suit for divorce from William Powers, alleging cruelty and inhuman treatment as a cause. She also made affidavit that the defendant had threatened violence to her and asked an order restraining him from carrying out his threat.

The Court Record.

SUPREME COURT OPINIONS.

1893. C. St. L. & C. Ry. Co. vs. Richard Grames, Clinton C. C. Reversed. Coffey, J.—The question of negligence in an action for personal injuries must be submitted to the jury, and the fact that there is a difference of opinion between reasonable men as to the existence of the facts from which it is proposed to infer negligence, is not sufficient to require a verdict in favor of the plaintiff. Where the facts are undisputed, and the inference is a fair one, the verdict must be for the plaintiff. Where the facts are in dispute, and the inference is a fair one, the verdict must be for the plaintiff.

1893. L. & J. Ferry Co. vs. Florence M. Hamill, Floyd S. C. Reversed. Davis, J.—A carrier of passengers is not an insurer of their safety, but it is required to exercise the highest degree of care to secure the safety of the passengers. A carrier who is himself without fault for any omission or failure to exercise the power, and for the slightest neglect of duty in this respect, it is no answer to an action by a passenger against a carrier that the negligence or trespass of a third person contributed to the injury.

1893. Augusta Bousch et al. vs. William Farnsworth, Lake C. C. Affirmed. Gay, C. J.—An amendment before trial in a justice court reduces the amount claimed, and the jurisdiction is properly maintained. 2. While Section 630, R. S., authorizes a party to bring a question before this court upon a part of the record only, it is not competent to use this power to bring before this court in proper manner all that is necessary to make it affirmatively appear that there was no error in the action of the justice court.

1893. Daniel Kisey vs. Stephen P. Lee, Howard C. C. Affirmed. Ross, J.—The party without right caused water to flow from his land into the land of another, and was guilty of trespass, and each and every time he so caused the water to flow was a separate and distinct trespass, and constituted a continuing injury, and damages, in addition to recovering damages for the injury sustained, might be recovered for the continuing trespass.

1893. Nova Fritts et al. vs. Mary A. Elmore, Montgomery C. C. Reversed. Lotz, J.—Where the real defense in a case is property in a third person, such defense may be given under the general denial. 2. Replevin cannot be maintained unless the evidence shows the actual or constructive possession of the property in the defendant at the time the suit was instituted.

1893. Sallie A. Borkmell vs. John G. Eggemann, Guardian, et al. Spencer C. C. Dismissed.

1893. C. C. C. & St. L. Railway Company vs. Robert C. Johnson, Knox C. C. Rehearing denied.

1893. Robert S. Robertson vs. Elizabeth Monroe, Allen S. C. Rehearing denied.

SUPERIOR COURT.

Room 1—James M. Winters, Judge.

General P. Gilbert, Judgment for plaintiff for \$30.45.

Jennie Newton vs. William Newton; divorce. Dismissed.

Robert S. Robertson vs. Elizabeth Monroe. Dismissed at plaintiff's cost for want of prosecution.

Room 2—J. W. Harper, Judge.

Thomas J. Faurer vs. J. K. Spillman et al. Judgment for plaintiff for \$100.

Oliver Van Horn et al. vs. John W. Oliver et al.; mechanic's lien. Dismissed at plaintiff's cost.

Daniel Frey vs. George A. Smith; foreclosure of street-improvement lien. Cause dismissed and costs paid.

W. H. Malone vs. Ira White et al.; mechanic's lien. Dismissed and costs paid.

Robert Patton vs. Indianapolis Foundry Company; suit on contract. Cause dismissed, at plaintiff's cost, for failure to prosecute.

## DR. SCHENCK'S

MANDRAKE PILLS have a value as a household remedy far beyond the power of language to describe. The family can hardly be true to itself that does not keep them on hand for use in emergencies.

DR. SCHENCK'S MANDRAKE PILLS. For sale by all Druggists. Price 25 cts. per box; 3 boxes for 65 cts.; or sent by mail, postage free, on receipt of price. DR. J. H. SCHENCK & CO., Philadelphia.

EDUCATIONAL.

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BOYS' CLASSICAL SCHOOL.

The next session will begin on MONDAY, SEPT. 18, at 782 North Delaware street, where beautiful rooms for instruction are provided. Boys and young men prepared for HARVARD, YALE or any institution of higher learning, as well as for business. More than ordinary care given to young boys. Call on or address: 782 North Delaware street, Indianapolis.

Girls' Classical School.

Twelfth year opens September 27. Prepares for all colleges for women. Boarding pupils received. Tuition, \$10.00; room, \$5.00; board, \$10.00. ALL MAY WRIGHT SEWELL, INDIANAPOLIS, IND., 243 North Pennsylvania street. Catalogues sent upon request.

NEW YORK MILITARY ACADEMY.

RAILWAY TIME-TABLES.

Indianapolis Union Station.

Trains Run by Central Time.

TICKET OFFICES at Station and at corner Illinois and Washington Streets.

Trains Run as Follows:

From Indianapolis to:

From Indianapolis to:

From Indianapolis to:

From Indianapolis to:

From Indianapolis to:

From Indianapolis to:

From Indianapolis to:

From Indianapolis to:

From Indianapolis to:

From Indianapolis to:

From Indianapolis to:

From Indianapolis to:

From Indianapolis to: